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unless these questions have been specifically approved by the Chairman. Minutes of the meeting and materials prepared for it will be available for public inspection at the Commission's headquarters, 1522 K Street, NW., Suite 300, Washington, D.C., this twenty-third day of March, 1983.
Patricia W. Hogue,
Director.

[FR Doc. 83-0040 Filed 3-28-83; 8:45 am]
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NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

[Circular No. 1 Revised]

Federal Assistance; Reconsideration of Declined Applications

Subject: National Endowment for the Arts—Process for Reconsideration of Declined Applications for Federal Assistance.

1. *Purpose.* The National Endowment for the Arts relies on peer panel review of grant applications in order to ensure informed funding of artistically and culturally significant projects and activities. This Circular, for the purpose of guaranteeing uniformity and consistency in the review of funding recommendations, establishes a procedure for reconsideration of applications for financial assistance which have been declined by the National Endowment for the Arts. The provisions of this Circular apply to procurement grants, Federal Property and Administrative Services Act or to applications for fellowships.

2. *Policy.* Award of financial assistance is discretionary. Determinations are made on the basis of several criteria involving qualitative judgments which are subject to reconsideration. Notwithstanding this fact, if the Project Director or Authorizing Official has been denied an application or explanation of the reasons for the decline from the responsible Program Director or Authorizing Official is dissatisfied with the explanation and believes the application was handled unfairly or that the decline was unreasonable and the decline was based on one or more of the reasons listed in section 3(b) below, reconsideration of the decline may be obtained under the procedure outlined herein.

3. *Procedure to be followed for reconsideration.*—a. *Explanation by*

Program Director. Within 30 days following notification of the Endowment's decision on any application, a Project Director or Authorizing Official may request an explanation for a declined application from the appropriate Program Director. This initial request may be made by letter, telephone or in person. The Program Director will explain the basis for the decline and on request will provide the Project Director or Authorizing Official with the substance of the advisory panel review comments. The Program Director will afford the Project Director or Authorizing Official an opportunity to present his or her point of view and will take any further action that appears appropriate.

b. *Request for Reconsideration.* Neither reconsideration of grant applications nor applications for reconsideration of declined applications may be made by the Project Director or Authorizing Official until the Program Director has provided an explanation of the reasons for the decline.

The request for reconsideration must be made in writing to the appropriate Deputy within 30 days after receipt of the explanation of the reasons for the decline. The request must include a copy of the explanation of the reasons for the decline and a statement of the Project Director or Authorizing Official's reasons for requesting reconsideration.

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(i) The request must be mailed to the

appropriate Deputy and should state the basis for the Project Director's or Authorizing Official's belief that the decline was unwarranted. Note that Section 3(b), above, limits the grounds for reconsideration by a Deputy.

(ii) The appropriate Deputy will review the request for reconsideration in light of all relevant material regarding evaluation of the grant application in order to determine whether the standards enumerated in Section 3(b) have been satisfied. The Deputy, who will consult with the chairman prior to making a final determination, has full discretion in conducting this review; among other procedures, the deputy may request additional information from the Project Director or Authorizing Official and may obtain additional peer reviews. The Deputy may conduct the reconsideration personally or may designate another Endowment official who has no part in the initial evaluation to do so. As used here, "Deputy" includes such a designated official.

(iii) Within 45 days after receipt of the written request for reconsideration, the Deputy will provide for reconsideration, the Deputy will provide the Project Director or Authorizing Official with a written summary of the results of the reconsideration. If results cannot be furnished within 45 days, the Deputy will provide the Project Director or Authorizing Official with a written explanation of the need for more time, indicating the date by which results can be expected. If the deputy reaffirms the decline, such determination shall be final.

4. *Audit.* The Deputy may request that surveys or site visits be conducted with respect to applicant organizations requesting reconsideration.

5. *Reporting Requirement.* Each appropriate Deputy will maintain a record of requests for reconsideration. The record will include the date of the receipt, the name of the Project Director or Authorizing Official, the name of the applicant organization, and the application number. When the reconsideration is completed, the record shall be updated to indicate when the results of the reconsideration were furnished to the organization and what the results were.

F. S. M. Hodsoll,
Chairman, National Endowment for the Arts.

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